If the court may choose what bargain it will enforce, as being the most equitable, or what the parties might have done had they known the facts, the law will vary with the opinion of the individual chancellor. *Cf.* GRAY, RULE AGAINST PERPETUITIES, 2 ed., 590–603. The whole tendency of modern judicial thought has been against such uncertainty. See 1 POMEROY, EQUITY JURISPRUDENCE, 3 ed., § 59. While the doctrine of doing equity forces the plaintiff to respect rights of the defendant growing out of the transaction from which relief is demanded, it will not go so far as to force him to respect rights which the defendant does not have. *Manternach* v. *Studt*, 240 Ill. 464, 88 N. E. 1000. That the court believes it better for the defendant that he should have those rights should not be enough to justify it in creating them.

EXEMPTIONS — COUNTERCLAIM IN AN ACTION TO RECOVER PROPERTY EXEMPT BY STATUTE FROM EXECUTION. — In an action by a plaintiff for wages which were exempt by statute from attachment and execution, the defendant pleaded a counterclaim. *Held*, that the counterclaim should not be allowed. *Bradley* v. *Earle*, 132 N. W. 660 (N. D.).

The necessity of a liberal construction of exemption statutes, to give effect to the real intent of the legislature that a certain amount of the debtor's property be exempt from any kind of coercive process of the law, is most apparent perhaps in cases where a set-off of a debt has not been permitted against a judgment recovered against the creditor for a wrongful seizure of the exempt property. *Treat* v. *Wilson*, 65 Kan. 729, 70 Pac. 893; *Moore* v. *Graham*, 29 Tex. Civ. App. 235, 69 S. W. 200. Any other rule would seem to render exemption statutes nugatory. Some courts, however, have refused to make a liberal construction of the exemption statutes, limiting the exemption to the property itself, not including judgments representing such property, and to cases where the exemption is claimed on an actual execution. *Temple* v. *Scott*, 3 Minn. 419; *Caldwell* v. *Ryan*, 210 Mo. 17, 108 S. W. 533. The principal case, however, is in accord with the great weight of authority, which holds, it would seem correctly, that allowing a set-off in any case where what the plaintiff is suing for would ordinarily be exempt from attachment or execution, would subvert the purpose of the exemption statutes. *Millington* v. *Laurer*, 89 Ia. 322, 56 N. W. 533; *Collier* v. *Murphy*, 90 Tenn. 300, 16 S. W. 465.

FEDERAL COURTS — JURISDICTION BASED ON NATURE OF SUBJECT MATTER — SUIT AGAINST CORPORATION ORGANIZED UNDER ACT OF CONGRESS FOR UNORGANIZED TERRITORY. — The defendant corporation was incorporated under an act of Congress which extended over Indian Territory certain laws of Arkansas relating to corporations. This unorganized territory later became the State of Oklahoma, in the court of which state this suit was originally brought. *Held*, that the cause cannot be removed to the federal court. *Boyd* v. *Great Western Coal & Coke Co.*, 189 Fed. 115 (Circ. Ct., E. D. Okl.).

Corporations of the United States organized under acts of Congress are entitled to remove into the federal courts suits brought against them in state courts, since such suits arise under the laws of the United States. *Pacific Railroad Removal Cases*, 115 U. S. 2, 5 Sup. Ct. 1113. Whether corporations organized under territorial laws come within this rule is not clear on the authorities. Corporations organized under acts of territorial legislatures have not been considered federal because of their local nature. *Maxwell* v. *Federal Gold & Copper Co.*, 155 Fed. 110. *Cf. United States* v. *Pridgeon*, 153 U. S. 48, 14 Sup. Ct. 746. However, the contrary view is taken where corporations are organized under acts of Congress for unorganized territories. *Canary Oil Co.* v. *Standard Asphalt & Rubber Co.*, 182 Fed. 663. It is difficult to perceive any substantial distinction between these cases. Acts of territorial legislatures are really vicarious acts of Congress. See *Snow* v. *United States*, 18 Wall. (U. S.) 317, 321;